

April 1, 2020

The Trustees of the Village of Malcolm met on Wednesday, April 1, 2020 at 7:00 p.m. through conference calling, due to COVID-19. Notice of the meeting was in the March 19, 2020 "Clipper". Notice of the meeting being held by conference calling was posted at the Village Hall, Post Office, Malcolm Fire Station and on the Malcolm Website on Monday, March 30, 2020.

#### ROLL CALL

Rohe, Hicken, Kopecky, Schweitzer, Little

Absent: none

OPEN MEETINGS LAW is posted and located on the wall as you enter the Village Hall.

This meeting is being conducted in accordance with the Executive order No. 20-03 signed by Governor Pete Ricketts on March 17, 2020 due to COVID-19.

Also present on the conference call was Don Schrader, Village Maintenance Superintendent; David Solheim, Village Attorney and Nadine Link, Village Clerk.

APPROVAL OF MINUTES: Rohe made a motion to accept the minutes of the March 4, 2020 meeting, seconded by Hicken. The Chairperson called for a roll call vote recorded as follows: AYE: Rohe, Hicken, Kopecky, Schweitzer, Little; NAY: None; Motion carried 5– 0

TREASURER REPORT – Rohe made a motion to accept the treasurer's report for the month of March, 2020, with disbursements of \$29,724.92 and deposits of \$45,387.87. The interest accrued for the month of March was not added to the totals presented to the Board due to the timing of the meeting. Motion seconded by Kopecky. The Chairperson called for a roll call vote, recorded as follows: AYE: Rohe, Hicken, Kopecky, Schweitzer, Little; NAY: None; Motion carried 5-0; Members absent: None

MAINTENANCE REPORT: A report was submitted and received by the Board.

Bids were reviewed to install VFD's at Wells 3 and 4; this item will be tabled until next month.

Bids were reviewed to replace the comminutor at the sewer plant with a grinder. This item will be discussed later in the meeting.

Jay and DeeAnn Candler joined the conference call to visit with the Board about the curb cut for his second driveway at 300 Malcolm Road. This will be taken under advisement and discussed later in the meeting.

ATTORNEY'S REPORT: A report was submitted and received by the Board.

VILLAGE CLERK REPORT: A report was submitted and received by the Board.

Malcolm Clean Up Day will be moved to May 16, 2020 due to COVID-19 virus.

BACKGROUND: Sidewalk repair – SE corner of 2<sup>nd</sup> & Lincoln St: The owner of the Malcolm Post Office is starting to get bids for replacing their sidewalk. This will be tabled until next month.

BACKGROUND: ZITO Media Agreement: David Solheim is still working with ZITO on the agreement, and dishes have not yet been removed from the Water Tower property as well as the antenna's from the top of the tower. This item will be tabled until next month.

Rohe made a motion to suspend the three reading requirements for Ordinance 2020-01 for the vacation of a portion of Wright Street. Schweitzer seconded the motion. . The Chairperson called for a roll call vote, recorded as follows: AYE: Rohe, Hicken, Kopecky, Schweitzer, Little; NAY: None; Motion carried 5-0; Members absent: None

BACKGROUND: Ordinance 2020-01 – Vacation of a portion of Wright Street: Following the reading of Ordinance 2020-01, Rohe made a motion to approved Ordinance 2020-01, An Ordinance of the Village of Malcolm, Lancaster County, Nebraska, vacating a portion of Wright Street, with title reverting to the abutting property owners; making findings; reserving rights; and providing an effective date. The Chairperson called for a roll call vote, recorded as follows: AYE: Rohe, Hicken, Kopecky, Schweitzer, Little; NAY: None; Motion carried 5-0; Members absent: None

BACKGROUND: Review bids for a grinder at the sewer plant: Board reviewed bids from HTM Sales, Inc. and Iowa Pump Works, following further discussion, Little made a motion to purchase the grinder which includes installation from Iowa Pump for \$30,893.00. Kopecky seconded the motion. The Chairperson called for a roll call vote, recorded as follows: AYE: Hicken, Kopecky, Little; NAY: Rohe, Schweitzer; Motion carried 3-2; Members absent: None.

BACKGROUND: Drainage ditch & Resurfacing of Malcolm Road: Machines are being delivered, stakes have been set by JEO; mail started being delivered to the new cluster box; drainage and ditch work along Malcolm Road should be starting here soon.

The building permit for Jason Lemkau at 161 Elk Creek Road to add a second driveway that comes off of Malcolm Road was reviewed again, after further review and discussion, Little made a motion to approve the permit for a 13' curb cut at owner's expense also at the owner's expense the approach must be a concrete approach to match the rest of the approaches on Malcolm Road from back of curb to south side of side walk. Schweitzer seconded the motion. The Chairperson called for a roll call vote, recorded as follows: AYE: Little, Hicken, Schweitzer; NAY: Rohe, Kopecky; Motion carried 3-2; Members absent: None.

The building permit for JAvery Candler at 300 Malcolm Road to add a second driveway that comes off of Malcolm Road was reviewed again, after further review and discussion, Little made a motion to approve the permit for a 13' curb cut at owner's expense also, at the owner's expense the approach must be concrete approach to match the rest of the approaches on Malcolm Road from back of curb to south side of side walk. Schweitzer seconded the motion. The Chairperson called for a roll call vote, recorded as follows: AYE: Hicken, Little, Schweitzer; NAY: Rohe, Kopecky; Motion carried 3-2; Members absent: None.

BACKGROUND: Fireworks Application for Bargaen's; Link's; Andelt's: Board reviewed all three applications:

Little made a motion to approve Nancy Bargaen's application to sell fireworks in July, Schweitzer seconded the motion. The Chairperson called for a roll call vote, recorded as follows: AYE: None; NAY: Hicken, Schweitzer, Kopecky Little, Rohe; Motion denied 5-0; Members absent: None

Little made a motion to approve Terry and Nadine Link's application to sell fireworks in July, 2020, Hicken seconded the motion. The Chairperson called for a roll call vote, recorded as follows: AYE: Kopecky, Schweitzer, Little, Hicken, Rohe; NAY: None; Motion carried 5-0; Members absent: None.

Little made a motion to approve Brad Andelt with J&B Firework's application to sell fireworks in July, 2020, Hicken seconded the motion. The Chairperson called for a roll call vote, recorded as follows: AYE: Little, Hicken, Schweitzer, Rohe, Kopecky; NAY: None; Motion carried 5-0; Members absent: None.

BACKGROUND: Evaluations for all employees: Rohe made a motion to table the evaluations for all employees until the Board can meet in person. Kopecky seconded the motion. The Chairperson called for a roll call vote, recorded as follows: AYE: Hicken, Little, Kopecky, Schweitzer, Rohe; NAY: None; Motion carried 5-0; Members absent: None.

BACKGROUND: Building Permit – Pole building – 10870 McKelvie Road for Seth Derner; after further review of the plans and permit, Rohe made a motion to approve the building permit for a 51' x 120' pole building. Little seconded the motion. The Chairperson called for a roll call vote, recorded as follows: AYE: Schweitzer, Kopecky, Hicken, Rohe, Little; NAY: None; Motion carried 5-0; Members absent: None.

BACKGROUND: Review bids for VFD's in wells 3 & 4: Item will be tabled until August to review the Budget.

BACKGROUND: Review bids for Education Drive to repair Street: four bids were received, after further review, Rohe made a motion to approve the bid for S & K Concrete, Inc. for \$17,250.00 plus \$1,150 for rebar for a total bid of \$18,400.00. Schweitzer seconded the motion. The Chairperson called for a roll call vote, recorded as follows: AYE: Rohe, Schweitzer; NAY: Kopecky; Abstain, Little; due to Hicken being disconnected from the conference call, Hicken abstained due to missing out on the conversation, Hicken abstained her vote. Motion denied 2-1 with 2 Little, Hicken. Members absent: None.

Little made a motion to approve Schaefer Concrete, LLC to repair Education Drive for \$17,618.00 as written, Kopecky seconded the motion. The Chairperson called for a roll call vote, recorded as follows: AYE: Hicken: NAY: Rohe, Schweitzer, Kopecky: Abstained: Little; Motion denied 1-3 with 1 abstained; Little. Members absent: None.

Rohe made a motion to accept the bid from Jerad Little to repair Education Drive for \$17,400.00 as written. Kopecky seconded the motion. The Chairperson called for a roll call vote, recorded as follows: AYE: Rohe, Kopecky, Hicken: NAY: Schweitzer: Abstain: Little. Motion carried 3-2 with 1 abstain – Little: Members absent: None.

BACKGROUND: Review Audit: will be tabled until the May meeting.

An Emergency Declaration was passed on April 1, 2020, which makes the Village of Malcolm eligible for reimbursement of any disaster related expenses from the Governor's emergency fund.

BACKGROUND: Resolution 2020-02: A Resolution of the Board of Trustees of the Village of Malcolm, Lancaster County, Nebraska, to temporarily waive utility late fees, suspend disconnections, and suspend liens. Rohe made a motion to approve Resolution 2020-02, Hicken seconded the motion. Following the reading of Resolution 2020-02, the Chairperson called for a roll call vote, recorded as follows: AYE: Kopecky, Schweitzer, Little, Hicken, Rohe: NAY: None; Motion carried 5-0; Members absent: None.

BACKGROUND: Building Permit Ball field – backstop: a building permit was submitted for the Village of Malcolm through MYSA (Malcolm Youth Sports Association) to install two (2) backstops which are over 6' in height at the new softball/baseball fields. After further review, Rohe made a motion to approve the permit, Hicken seconded the motion. The Chairperson called for a roll call vote, recorded as follows: AYE: Kopecky, Schweitzer, Little, Hicken, Rohe: NAY: None; Motion carried 5-0; Members absent: None.

Malcolm Planning Commission did not hold a meeting in March, 2020 due to COVID-19.

With no further business to discuss, Rohe moved to adjourn at 10:32 p.m. Schweitzer seconded the motion. The Chairperson called for a roll call vote recorded as follows: AYE: Rohe, Hicken, Kopecky, Schweitzer, Little; NAY: None; Motion carried 5-0; Members absent: None

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Nadine Link, Village Clerk